



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 15 2016

REPLY TO THE ATTENTION OF:

Craig W. Butler
Director
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049

Re: Upcoming Consultation regarding Accuracy of Information on which Proposed Clean Air Act Section 303 Action is Based

Dear Mr. Butler:

I am in receipt of your November 10, 2016 correspondence to Alice Chow, the Associate Director of U.S. EPA Region 3's Office of Air Monitoring and Analysis. In your letter, you address U.S. EPA's invitation to consult on the accuracy of the information to support a finding of imminent and substantial endangerment to the public health in East Liverpool, Ohio.

On the call currently scheduled for Wednesday, November 16, 2016, U.S. EPA looks forward to a robust discussion with Ohio EPA and PADEP about the available data and studies. We are forwarding to your staff today the meteorological data collected by the monitor in Lawrenceville, West Virginia. U.S. EPA is in the process of loading this data into its air quality system. My staff assures me that, while U.S. EPA's information collection and investigation continues, the Agency has provided Ohio EPA with all other data and publicly available information underlying EPA's conclusions, including:¹

- East Liverpool Ambient Monitoring Data-Primarily Collected by Ohio EPA;
- U.S. EPA's Health Study of Airborne Manganese Exposure in East Liverpool;
- U.S. EPA's Air Toxics Assessment of East Elementary School in East Liverpool;
- ATSDR's 2010 Health Consultation for East Liverpool Requested by Ohio EPA;
- ATSDR's September 22, 2016 Update to its 2010 Health Consultation; and
- Ohio EPA's 2008 Air Quality Study of East Liverpool.

¹While U.S. EPA has provided or is today providing Ohio EPA with all data and publicly available information underlying U.S. EPA's conclusions, we have not provided internal summaries and analysis (such as the case referral to the Department of Justice or summaries of the environmental studies) that constitute protected or privileged material. We anticipate, however, that those conclusions and the basis for them would be discussed at our consultation.

This information is also publicly available at:

- U.S. EPA's website concerning Air Monitoring in East Liverpool and Glasgow: <https://www.epa.gov/oh/east-liverpool-ohio-and-glasgow-borough-pennsylvania-air-monitoring-data>;
- U.S. EPA's website concerning its health study of manganese exposure in East Liverpool: <https://www.epa.gov/healthresearch/air-manganese-study>;
- U.S. EPA's Air Toxics Assessment of East Elementary School in East Liverpool: <https://www3.epa.gov/air/sat/EastElemenInfo.html>;
- ATSDR's website concerning its health consultation of airborne manganese in East Liverpool: http://www.atsdr.cdc.gov/sites/east_liverpool/; and
- Ohio EPA's 2008 Air Quality Study of East Liverpool: <http://www.epa.ohio.gov/portals/27/atu/EastLiverpoolOhioAirQualityStudy2008.pdf>

We invite your thoughts on all of this information and appropriate next steps. If Ohio EPA believes that there is information missing from this record, please let us know what that information is so that we may ensure that we have considered all relevant data and studies. We continue to believe there is a need for immediate action to address the threat to human health and the environment and look forward to discussing this with Ohio EPA during our November 16, 2016 consultation.

Please contact me if you would like to discuss this matter further.

Sincerely,

Michael D. Harris

for R.K.

Robert A. Kaplan
Acting Regional Administrator